IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 11255 of 2007(M)

PETITIONER:
---

1. BARBARA, AGED 55 YEARS,
W/O.P.X.FRANCIS, HOUSE WIFE, RESIDING AT
X/167, CHERIAKADAVU, PALLURUTHY VILLAGE,
COCHIN TALUK.

2. P.X.FRANCIS, AGED 60 YEARS,
S/O.XAVIER, RESIDING AT X/167, CHERIAKADAVU,
PALLURUTHY VILLAGE, COCHIN TALUK.

BY ADV. SRI.VIJU THOMAS
SMT.M.MEENA JOHN

RESPONDENTS:
---

1. AUGUSTINE, AGED ABOUT 65 YEARS,
S/O.OUSO, PULIKAL HOUSE, CHERIAKADAVU,
KANNAMALI P.O., PALLURUTHY VILLAGE, KOCHI-8.

2. PEKSON, AGED ABOUT 31 YEARS,
S/O.AUGUSTINE, PULIKAL HOUSE, CHERIAKADAVU,
KANNAMALI P.O., PALLURUTHY VILLAGE, KOCHI-8.

3. JOY, AGED ABOUT 44 YEARS,
S/O.RAPHEL, KANNETH HOUSE, CHERIAKADAVU,
KANNAMALI P.O., PALLURUTHY VILLAGE, KOCHI-8.

4. DAISY, AGED ABOUT 36 YEARS,
W/O.JOY, KANNETH HOUSE, CHERIAKADAVU,
KANNAMALI P.O., PALLURUTHY VILLAGE, KOCHI-8.

5. SUB INSPECTOR OF POLICE, KANNAMALI.

R5 BY GOVT.PLEADER SRI P.A.SALIM.

R1 TO R4 BY ADV. SRI.T.A.GEORGE JOSEPH
SRI.NAVEEN THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1	TRUE COPY OF THE ASSIGNMENT DEED NO.1143/79 DTD. 24/3/79.
EXT.P2	TRUE COPY OF THE ASSIGNMENT DE4ED NO.1068/95 DTD.18/2/95.
EXT.P3	A ROUGH SKETCH SHOWING THE PROPERTY OF THE PETITIONERS AND THE PATHWAY.
EXT.P4	TRUE COPY OF THE DECREE DTD. 29/9/04L IN O.S.NO.591/03 OF T THE ADDL. MUNSIFF COURT, KOCHI.
EXT.P5	A TRUE COPY OF THE REPORT B1-13648/03 DTD. 20/1/04 SUBMITTED BY THE TAHSILDAR, KOCHI TO THE RDO, KOCHI.
EXT.P6	PHOTOGRAPHS SHOWING THE COMPOUND WALL OF THE PETITIONERS AND BRICKS.
EXT.P7A	TRUE COPY OF THE COMPLAINT DTD. 1/3/07 FILED BY THE PETITIONER'S SON BEFORE THE 5TH RESPONDENT.
EXT.P7B	TRUE COPY OF THE COMPLAINT DTD. 18/3/2007 FILED BY THE PETITIONER' SON BEFORE THE 5TH RESPONDENT.
EXT.P8A	TRUE COPY OF THE FIR NO.34 DTD. 18/3/2007.
EXT.P8B	TRUE COPY OF THE F.I. STATEMENT DTD. 18/3/2007.

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO.11255 OF 2007

Dated this the 29th day of May,2007

JUDGMENT

Raman,J.

It appears that there are some disputes between the parties and according to the respondents, the Panchayat has already issued an order of demolition of compound wall, against which the petitioner has already sought relief by filing separate writ petition subject to any decision that may be rendered in those proceedings in accordance with law.

Police shall see that law and order is maintained and that the life of both the parties are not endangered.

Writ Petition is closed.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.